

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:06-cr-0147-WTL-TAB
)	
CHARLES T. DUNSON,)	- 01
)	
Defendant.)	

REPORT AND RECOMMENDATION

On October 16, and November 1, 2018, the Court held hearings on the Petition for Warrant or Summons for Offender Under Supervision filed on December 3, 2014. Defendant appeared in person with his retained counsel Jack Crawford. The government appeared by Lawrence Hilton, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Chris Dougherty.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Dunson of his rights and provided him with a copy of the petition. Defendant Dunson orally waived his right to a preliminary hearing.

2. After being placed under oath, Defendant Dunson admitted violations 1, and 2.
[Docket No. 2.]

3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

- | | |
|---|--|
| 1 | “The defendant shall not commit another federal, state, or local crime.” |
| 2 | “The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.” |

On November 30, 2014, Indianapolis Metropolitan Police officers responded to a call of a large fight involving up to seven people, some of whom possessed firearms. Officers were advised one of the suspects was a black male, wearing all black, riding a motorcycle and may be possessing a firearm. Charles T. Dunson was stopped in the area while riding a motorcycle with expired plates. The offender denied being involved in the altercation. The officer asked the offender if he had any firearms on his person and the offender denied possessing a firearm. The officer did a pat down and located a Ruger P-95 9mm in the offender's waistband with the barrel pointing down towards his groin. The firearm was loaded with eleven rounds in the magazine. The officer also discovered the firearm was reported stolen on December 24, 2012. The offender had \$2,547 in cash on his person. The offender was driving without a valid license. He was arrested and taken into custody.

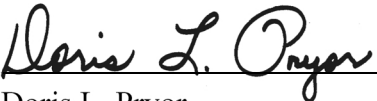
The offender is currently being held on a 72-hour hold in the Marion County Jail, case number 49G201412MC053272. The charging Information will be filed on December 5, 2014. According to the Marion County Deputy Prosecutor in charge of screening, the offender will likely be charged with Carrying a Handgun Without a License, a felony.

4. The parties stipulated that:
- (a) The highest grade of violation is a Grade A violation.
 - (b) Defendant's criminal history category is VI.
 - (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 24 months' imprisonment.
5. Government recommended a sentence of twenty-one (21) months with no supervised release to follow. Defendant recommended a sentence of twelve (12) months with no supervised release to follow.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of eighteen (18) with no supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Date: 11/26/2018


Doris L. Pryor
United States Magistrate Judge
Southern District of Indiana

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